

REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

Group I: Claim(s) 1-2, 6, drawn to a fragrance composition comprising ingredients A and B, A and C, or A, B and C; and

Group II: Claim(s) 3-6, drawn to a fragrance composition comprising at least two ingredients from ingredients E, F and G.

The Examiner is also requiring the election of species depending on the group elected above: for Group I elect either A and B, A and C, or A, B and C as well as an ingredient B compound (i) through (v); and for Group II elect at least two species from ingredients (E), (F) and (G).

Applicants provisionally elect Group I, Claims 1-2 and 6, drawn to a fragrance composition comprising ingredients A and B, A and C, or A, B and C, with traverse on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified groups. Also, it has not been shown that a burden exists in searching the claims of the two groups.

Moreover, the MPEP at § 803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all of the claims would not impose a serious burden on the Office.

Additionally, Applicants elect the species A, B and C (the third choice) and compound (i) for ingredient B (the first choice), i.e. a compound of the formula R^1-COOR^2 . Claims 1-2 and 6 are readable on the elected species.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

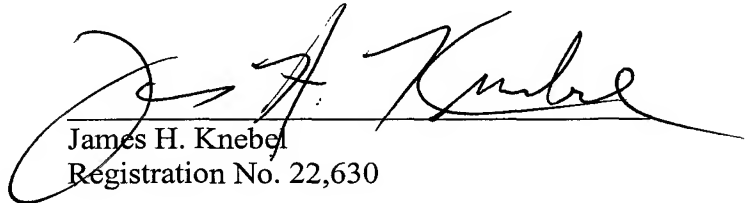
Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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